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8 Attorney for Defendants CELSO HERNANDEZ
9 and PLAYAS LAS TUNAS RESTAURANT, INC.

10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA

12 JUAN CARLOS VELAZQUEZ,

13 Plaintiff,

14 vs.

15 CELSO HERNANDEZ individually and
16 doing business as PLAYA LAS TUNAS
17 RESTAURANT; LEONARDO FRANCO
18 DA SILVA ZANNIER; ADAN FRANCO;
19 GIANNI PIVETTA; RUBEN AGUILERA;
20 CONCEPCION GARCIA; and DOES 1
21 TO 5

22 Defendants.

Case No. CV-13-6549-R

ORDER APPROVING STIPULATION RE
INJUNCTION AND DISMISSAL OF
CLAIMS PURSUANT TO SETTLEMENT

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**ORDER APPROVING STIPULATION RE INJUNCTION AND DISMISSAL OF CLAIMS
PURSUANT TO SETTLEMENT**

This Court, having considered the “Stipulation Re Injunction and Dismissal of Claims Pursuant to Settlement” between plaintiff JUAN CARLOS VELAZQUEZ (“**Plaintiff**”) and defendants CELSO HERNANDEZ and PLAYAS LAS TUNAS RESTAURANT, INC. (“**Defendants**”), the Stipulation having been properly filed and served on all necessary parties; no opposition or other response to the Stipulation having been filed; and good cause appearing therefor,

It is hereby ORDERED as follows:

1. The Court has jurisdiction over this action pursuant to 15 U.S.C. § 1121, 28 U.S.C. §§ 1331, 1332(a)-(c) and 1338(a) and 28 U.S.C. § 1338(b).

2. The Court finds that Defendants dispute the Plaintiff’s allegations and deny that they engaged in conduct resulting in liability to Plaintiff or any other person.

3. The Court finds that Defendants waive the entry of findings of fact and conclusions of law and consent to the entry of the injunction described herein without admitting that grounds exist for imposition of an injunction against them.

4. The Court finds that Defendants have consented to the entry of an injunction pursuant to 15 U.S.C. § 1116 and 7402(a) prohibiting them from using the name “Los Iracundos” in any advertisement, or contracting with any person(s) using the name “Los Iracundos”, without the express written consent of the registered holder of

1 the trademark and service mark which is the subject of United States Patent and
2 Trademark Office Certificate of Registration No. 4,232,880.

3 5. It is furthered ORDERED, ADJUDGED AND DECREED that Defendants
4 and their respective officers, agents, servants and employees ARE HEREBY
5 RESTRAINED AND ENJOINED from using the name "Los Iracundos" in any
6 advertisement, or contracting with any person(s) using the name "Los Iracundos"
7 without the express written consent of the registered holder of United States Patent and
8 Trademark Office Certificate of Registration No. 4,232,880.
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11 6. It is furthered ORDERED, ADJUDGED AND DECREED that, in the event
12 Certificate of Registration No. 4,232,880 is cancelled, and that cancellation has become
13 final, this injunction shall dissolve upon application to this Court.
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15 7. The Court shall retain jurisdiction over this is action to implement and
16 enforce this injunction.
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18 8. Plaintiff is awarded attorney fees and costs against Defendants in the
19 agreed upon total sum of \$7,500.
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21 9. Except as expressly stated herein, all remaining claims for relief asserted
22 in the Complaint against Defendants, are hereby dismissed with prejudice.
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24 Dated: Nov. 4, 2013

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26 UNITED STATES DISTRICT JUDGE
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**ORDER APPROVING STIPULATION RE INJUNCTION AND DISMISSAL OF CLAIMS
PURSUANT TO SETTLEMENT
U.S.D.C. Case No. CV-13-6549-R-MRW**